

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address  Howard M. Ehrenberg (CA State Bar No. 125527) hehrenberg@sulmeyerlaw.com Steven F. Werth (CA Bar No. 205434) swerth@sulmeyerlaw.com SulmeyerKupetz A Professional Corporation 333 South Hope Street, Thirty-Fifth Floor Los Angeles, California 90071-1406 Telephone: 213.626.2311 Facsimile: 213.629.4520  <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: John J. Menchaca, Chapter 7 Trustee	FOR COURT USE ONLY
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**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION**

In re:  GEORGE MKITARIAN,          Debtor.	CASE NO.: 2:16-bk-23364-VZ CHAPTER: 7  <b>NOTICE OF SALE OF ESTATE PROPERTY</b>  <b>{835 SAN VICENTE BOULEVARD SANTA MONICA, CA 90402 [APN 4280-005-005]}</b>
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<b>Sale Date:</b> May 16, 2017	<b>Time:</b> 11:00 a.m.
<b>Location: Courtroom 1368</b> United States Bankruptcy Court, Roybal Federal Building, 255 East Temple Street, Los Angeles, CA 90012	

**Type of Sale:**    ☒ Public    ☐ Private                      **Last date to file objections:**    May 2, 2017

**Description of property to be sold:**    835 San Vicente Boulevard, Santa Monica, California 90402 [APN 4280-005-005]

**Terms and conditions of sale:**    The Buyer has offered to purchase the Bankruptcy Estate's interest in the Property for \$5,700,000 ("Purchase Price"), \$171,000 of which has been tendered, with the balance to be paid prior to close of escrow. Escrow is to close 30 days after entry of an order granting Trustee's motion to sell the Property. The purchase of the Property is also subject to acceptance of certain terms and conditions agreed to by the Buyer in the Purchase Agreement attached to the Motion.

The Trustee seeks to sell the Property on the terms and conditions stated in the "Counter-Offer" attached to the Motion as Exhibit 1 (hereafter, the "Purchase Agreement"), between the Trustee and Ira Rosenberg and Alice Kong Rosenberg (collectively, "Buyer"), for \$5,700,000.00 cash, or to any person or entity who appears at the hearing on the Motion and submits a higher acceptable bid in accordance with the Trustee's proposed overbid procedures.

The Trustee seeks an order approving the Sale free and clear of all liens, claims, and interests, with said liens, claims, and interests to attach to the Sale proceeds in the same manner and priority as under applicable law.

**Proposed sale price:**    \$5,700,000

Any party wishing to bid on the Property ("Overbidder") shall advise the Trustee of their intent to bid on the Property and the amount of their overbid (which must be at least \$50,000.00 more than the current selling price of \$5,700,000 ("Initial Overbid"), by no later than 12:00 p.m., PDT, on May 15, 2017 ("Overbid Deadline"), and any subsequent overbids will be in increments of \$10,000.00. In his absolute and sole discretion, the Trustee shall have the right to approve any Overbidder for bidding prior to the hearing but after the Overbid Deadline.

Any Overbidder shall provide the Trustee with a cashier's check, payable to "John J. Menchaca, Chapter 7 Trustee of the Bankruptcy Estate of George Mkitarin" in the amount of \$171,000 ("Deposit"). The Deposit must be delivered so that it is received by the Trustee no later than the Overbid Deadline.

In the event of any Overbid, the \$171,000.00 deposit from the Buyer or successful Overbidder shall serve as the Deposit for the Buyer or any successful Overbidder, with a refund of such deposit to the party that is not the "Winning Bidder." Any Overbidder must provide the Trustee with evidence of the proposed Overbidder's financial ability to pay the full amount of the Overbid so that such evidence is received by the Trustee's counsel by no later than the Overbid Deadline.

All parties who have submitted timely bids and otherwise satisfied the foregoing requirements will be able to participate in an auction to be conducted at the hearing on the Motion as is necessary in order to increase their bid.

The Winning Bidder's Deposit shall be applied towards the total purchase price. The Winning Bidder must tender the balance of the total purchase price to the Trustee within thirty (30) calendar days following entry of the order approving the sale of the Property to such buyer. To the extent the Winning Bidder fails to tender the balance of the purchase price by such date, that bidder's entire Deposit shall be non-refundable and forfeited to the Trustee. To the extent the Buyer or another Overbidder is not the Winning Bidder, that party's Deposit will be refunded by the Trustee.

**Overbid procedure (if any):**

**If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:**

May 16, 2017

11:00 a.m.

Courtroom 1368

Roybal Federal Building

255 East Temple Street

Los Angeles, CA 90012

**Contact person for potential bidders (include name, address, telephone, fax and/or email address):**

Steven F. Werth, Esq./SulmeyerKupetz, A Professional Corporation

Attorneys for John J. Menchaca, Chapter 7 Trustee

333 South Hope Street, 35<sup>th</sup> Floor

Los Angeles, CA 90071

Telephone: 213.626.2311; Facsimile: 213.629.4520

swerth@sulmeyerlaw.com

Date: April 21, 2017